

FAX

GlaxoSmithKline

To Attn: Examiner Patrick Buechner, Group 3754
.....
Company USPTO
.....
Fax 703-872-9306
.....
From Johnie Jones
.....
Tel 919-483-7867 **FAX #** 919-483-5730
.....
E-mail Johnie.X.Jones@gsk.com
.....
Date 15-Feb-2005 **Pages including cover** 4
.....
Subject Petition To Withdraw Holding of Abandonment
.....
Based on Failure To Receive Office Action
.....

Type site code here

RECEIVED
CENTRAL FAX CENTER
FEB 15 2005

Re: Application of Anthony Patrick JONES, et al.
U.S. Serial No.: 09/936,505; Filed: September 11, 2001
Title: *Metering Valve*
Attorney Docket No. PG3671USW

Attached:

1. Petition to Withdraw Holding of Abandonment Based on Failure To Receive Office Action
2. Copy of docket record

Certificate of Transmission by Facsimile (37 CFR 1.8)

I hereby certify that this Petition To Withdraw Holding of Abandonment is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9306) on February 15, 2005.


Johnie Jones

The information contained in these documents is confidential and may also be privileged and is intended for the exclusive use of the addressee designated above. If you are not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, any disclosure, reproduction, distribution, or any other dissemination or use of this communication is strictly prohibited. If you have received this transmission in error please contact us immediately by telephone so that we can arrange for its return.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Jones, et al.
Serial No. : 09/936,505
Filing Date : September 11, 2001
Title : *Metering Valve*
Grp. /A.U. : 3754
Examiner : Buechner, Patrick
Confirmation No. : 4406
Docket No. : PG3671USW

RECEIVED
CENTRAL FAX CENTER
FEB 15 2005

Commissioner for Patents
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION**

Sir:

This Petition is submitted in response to the Notice of Abandonment mailed January 31, 2005. The Notice states that the application is abandoned in view of Applicants' failure to timely pay the issue fee and publication fee.

Applicants respectfully petition the Patent Office to withdraw the holding of abandonment because the original Notice of Allowance and Fee(s) Due was never received by Applicants. I, J. Michael Strickland, attorney for Applicants, have searched the file jacket and docket record for this application, Attorney Docket No. PG3671USW, and found no indication that the Notice of Allowance was ever received. Enclosed herewith is a copy of the docket record where the nonreceived Notice of Allowance would have been entered had it been received and docketed.

Applicants respectfully request that this petition be granted and that a new Notice of Allowance be mailed. Applicants believe that no fee is required for this petition. If a fee is required, Applicants hereby authorize the Patent Office to charge Deposit Account 07-1392 for the appropriate fee.

Date: February 15, 2005
GlaxoSmithKline Inc.
Corporate Intellectual Property
Five Moore Drive, P.O. Box 13398
Research Triangle Park, NC 27709
Tel. (919) 483-9024
Fax: (919) 483-7988

Respectfully submitted:

J. Michael Strickland
Attorney for Applicants
Reg. No. 47,115

Enclosure: Docket Report for PG3671USW

68008

Patent: PG3671, United States, Regular,
Patent Cooperation Treaty, Original FilingChecked by Attorney
(date and initials)

February 15, 2005 J. Michael Strickland

Patent Data

Case No.	PG3671	Attorney	Jason N Rice
Country	United States	Agent	J MICHAEL STRICKLAND
Case Type	Regular	Client/Division	Pharmaceuticals
Relation Type	Original Filing	Applicant	SMITHKLINE BEECHAM CORPORATION
Filing Type	Patent Cooperation Treaty	First Filing Date	12-Mar-1999
Filing Number		Sub Status Date	
Status	Filed	Parent Filing Date	23-Feb-2000
Sub Status		Parent Grant Date	
Parent Country	Patent Cooperation Treaty	Application Date	23-Feb-2000
Parent Number	PCT.EP00.01446	Grant Date	
Application Number	09.936505	Publication Date	
Patent Number		Ind. Claims/Designs	0
Publication Number		Total Claims	0
Program		Total Classes	
Convention Type		Confirmation Number	
Operating Group	UNITED KINGDOM	Tax Base Date	
Agent Ref No		Next Tax Date	
		Expiration Date	23-Feb-2020
		National Filing Date	16-Oct-2001

Other Case-Related Information

Actions

Action	Action Due Date	Taken Date	Deadline Date	Completed Date	Action Notes
1st Office Action				29-Mar-2004	
History	12-Mar-2000			02-Mar-2000	General Assignment done?
History	06-Dec-2001			26-Nov-2001	Missing Requirement due in 1mo.
History	06-Jan-2002			26-Nov-2001	Missing Requirements due
History	16-Jan-2002			16-Oct-2001	Declaration due
History	16-Jan-2002			16-Oct-2001	IDS due
History	06-May-2002			26-Nov-2001	Missing Requirements-X4-FATAL
History	16-Oct-			04-Dec-	Filing receipt perfected?

	2002		2001	
RESTRICTION REQUIRED	24-May- 2003	24-Oct- 2003	19-Jun-2003	
RESTRICTION REQUIRED	24-Aug- 2003	24-Jan- 2004	20-Aug- 2003	
LAST DAY	24-Oct- 2003	24-Oct- 2003	19-Jun-2003	
Restriction - final deadline	24-Jan- 2004	24-Jan- 2004	20-Aug- 2003	
History	16-Apr- 2004		29-Mar- 2004	Has IDS yet been acknowledged?
Response to 1st office action	29-Jun- 2004	25-Jun- 2004	29-Sep- 2004	23-Jul-2004
Response 1st OA - final deadline	29-Sep- 2004		29-Sep- 2004	23-Jul-2004
REACTIVATE MATTER	28-Feb- 2005			
Status Inquiry Due	29-Sep- 2005			

N/Abandonment mailed 31 Jan 2005 - Failure to pay Issue
Fees. N/Allowance has not been received from the USPTO.

CreateUser: PJ

CreateDate: 29-Nov-2002

Copyright 2002 by Master Data Center, Inc.

UpdateUser: pdf36256

UpdateDate: 04-Feb-2005